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(BY APPT. ONLY)

January 19, 2018

**VIA ECF**

Honorable Joan M. Azrack  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722

Re: United States v. Mangano  
Ind: 16-CR-540

Dear Judge Azrack:

As you are aware, I am attorney for Mr. Mangano in the captioned matter which is scheduled for jury selection on March 12, 2018. As the Court is aware, the discovery materials in this case are extremely voluminous. I note that within the last week, among other things, the defendants received 85,000 pages consisting of emails between Harendra Singh and relevant individuals in this case.

The discovery materials also include the calendar of Harendra Singh, the Government's principle witness in this case. (HS-CAL bates number 1-282). Specifically, the Government has produced 282 pages reflecting entries on Mr. Singh's calendar. These entries, among other things, reflect meetings with individuals who are either parties or witnesses in this matter. However, the vast majority of Singh's calendar produced to the defendants has been unilaterally redacted by the Government. In short, the Government has produced to the defendants only those portions of Singh's calendar *that the Government deems relevant*.

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I write to respectfully request that Your Honor direct the Government to produce Singh's unredacted calendar to the defense. By this application, I make no personal attack on the prosecutors assigned to this matter. However, this is an adversarial process, and the defendants should not have to rely on the discretionary call of an Assistant United States Attorney to produce those portions of Singh's (the pivotal witness in this case) calendar that they believe to be relevant. Again, without attack on the Government in this case, Brady and its long progeny, exist for a reason.

Moreover, I note that the production of Singh's entire calendar is particularly appropriate in this case. First, as noted, Singh is the Government's pivotal witness whose testimony is expected to be wide ranging, and span several days. Moreover, Singh's apparent criminality unrelated to this case was extensive, involving countless aspects of the financial underpinnings of his numerous businesses. Among other things, the entries in Singh's calendar may bear on these relevant issues. In addition, Singh's presence with certain individuals at various locations as may be reflected in the redacted calendar entries certainly could undercut the version of events Singh will offer at trial, and bolster the defense in this matter.

Finally, I note that the Government's discovery production includes the desk calendars of Mr. Mangano and Mr. Venditto. These calendars were obtained by the Government during their investigation of this matter by subpoena. Notably, the subpoenas demanded the production of the complete calendars of these individuals, which were produced to the Government without redaction. There can be no question that had Mr. Mangano's calendar been produced to the Government replete with unilateral wholesale redactions, the Government would have sought appropriate relief from the Court.

In conclusion, by this application, we are not seeking the disclosure of confidential sensitive personal financial information. These are simply calendar entries which reflect Singh's activities and meetings with various individuals during the timeframe relevant to this indictment. In short, the Government should not be endowed with the unilateral authority, under these facts, to determine which portions of Singh's calendar are relevant to the defense of this matter.

Thank you for your consideration.

Very truly yours,

  
KEVIN J. KEATING

KJK/lo

cc: AUSA Lara Gatz  
AUSA Catherine Mirabile  
AUSA Raymond Tierney  
Marc Agnifilo, Esq.  
John Carman, Esq.  
Clerk of the Court